



Attorney's Docket No. G:/7434CIP

Applicant or Patentee: J. Carl Cooper

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: 6/7/95

For: IMPROVED PROGRAM VIEWING APPARATUS AND METHOD

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c))—SMALL BUSINESS CONCERN**

I hereby declare that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Pixel Instruments

ADDRESS OF CONCERN 718 University Avenue, Suite 210  
Los Gatos, CA 95030

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled

IMPROVED PROGRAM VIEWING APPARATUS AND METHOD

by inventor(s) J. Carl Cooper  
Steve Anderson

described in

the specification filed herewith  
 application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).*

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING J. Carl Cooper

TITLE OF PERSON OTHER THAN OWNER Chief Financial Officer

ADDRESS OF PERSON SIGNING 15288 Via Pinto

Monte Sereno, CA 95030

SIGNATURE \_\_\_\_\_

Date

6/8/95

**PATENT**

For:  U.S. and/or  Foreign Rights  
For:  U.S. Application or  U.S. Patent  
By:  Inventor(s) or  Present Owner

**ASSIGNMENT OF INVENTION**

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

J. Carl Cooper

ASSIGNOR:  
(inventor(s) or  
person(s) or entity(ies)  
who own the invention)

(Type or print name(s) of ASSIGNOR(S))

15288 Via Pinto

Address

Monte Sereno, CA 95030

U.S.A.

Nationality

Steve Anderson  
21886 Hyannis Port Drive  
Cupertino, CA 95014  
U.S.A.

*(If assignment is by person or entity to whom invention was previously assigned and this was recorded in PTO add the following)*

Recorded on \_\_\_\_\_

Reel \_\_\_\_\_

Frame \_\_\_\_\_

hereby sells, assigns and transfers to

ASSIGNEE:

**Pixel Instruments**

(Type or print name of ASSIGNEE)

718 University Avenue, Suite 210

Address

Los Gatos, CA 95030

U.S.A.

Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

*(complete one of the following)*

the entire right, title and interest  
 an undivided \_\_\_\_\_ percent (\_\_\_\_\_ %) interest

for the United States and its territorial possessions

*(check the following box if foreign rights are also to be assigned)*

and in all foreign countries

in and to, any and all improvements which are disclosed in the invention entitled:

IMPROVED PROGRAM VIEWING APPARATUS AND METHOD

(check and complete (a), (b), (c) or (d))

and which is found in

- (a)  U.S. patent application executed on even date herewith
- (b)  U.S. patent application executed on \_\_\_\_\_
- (c)  U.S. application serial no. \_\_\_\_\_ filed on \_\_\_\_\_
- (d)  U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_  
*(also check (e) if foreign application(s) is also being assigned)*
- (e)  and any legal equivalent thereof in a foreign country, including the right to claim priority

and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any re-issue or re-examination thereof

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

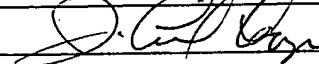
ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this  
8<sup>th</sup> June, 1995 (Date of signing).

WARNING: Date of signing must be the same as the date of execution of the application if item (a) was checked above.

Signature of ASSIGNOR(S)

J. Carl Cooper



Steven Anderson



If ASSIGNOR is a legal entity complete the following information

Type or print the name of the above person  
authorized to sign on behalf of ASSIGNOR

Title

NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized then it will only be prima facie evidence of execution 35 USC 261. Use next page if notarization is desired.

Notarization or Legalization Page Added.

(Assignment of Invention[16-3]—page 2 of 2)

J. Carl Cooper  
Applicant or Patentee:

Serial or Patent No.:

Filed or Issued: 6/7/95

For: IMPROVED PROGRAM VIEWING APPARATUS AND METHOD

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(c))—SMALL BUSINESS CONCERN

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an official of the small business concern empowered to act on behalf of the concern identified below:

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Los Gatos, CA 95030

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled

IMPROVED PROGRAM VIEWING APPARATUS AND METHOD

by inventor(s) J. Carl Cooper  
Steve Anderson

described in

the specification filed herewith

application serial no. \_\_\_\_\_, filed \_\_\_\_\_

patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

**PATENT**

Attorney's Docket No. G: / 7434CIP

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**COMBINED DECLARATION AND POWER OF ATTORNEY**

*(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION OR CIP APPLICATION)*

---

As a below named inventor, I hereby declare that:

**TYPE OF APPLICATION**

This declaration is for the following type application:

*(check one applicable item below)*

original

design

*NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item and check appropriate one of last three items.*

national stage of PCT

supplemental

*NOTE: If one of the following 3 items apply then complete and attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.*

divisional

continuation

continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

*WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.*

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IMPROVED PROGRAM VIEWING APPARATUS AND METHOD

---

**SPECIFICATION IDENTIFICATION**

the specification of which: (*complete (a), (b) or (c)*)

(a)  is attached hereto.

(b)  was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (*if applicable*).

*NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.*

(c)  was described and claimed in PTC International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

#### ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. § 1.56(a).

In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

#### PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d)  no such applications have been filed.

(e)  such applications have been filed as follows

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

---

---

## POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

William S. Lightbody (Reg #29,557)

### SEND CORRESPONDENCE TO

William S. Lightbody (29,557)  
LIGHTBODY LAW OFFICE  
1717 East Ninth Street  
2121 East Ohio Building  
Cleveland, OH 44114

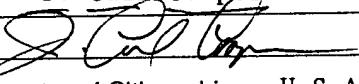
### DIRECT TELEPHONE CALLS TO: (Name and telephone number)

William S. Lightbody  
(216) 621-7337 Phone  
(216) 621-7393 FAX

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURES

100  
Full name of sole or first inventor J. Carl Cooper  
Inventor's signature   
Date JUN 8, 1995 Country of Citizenship U.S.A.  
15288 Via Pinto, Monte Sereno, CA 95030 CA  
Residence  
Post Office Address

200  
Full name of second joint inventor, if any Steve Anderson  
Inventor's signature   
Date JUNE 8, 1995 Country of Citizenship U.S.A.  
21886 Hyannis Port Drive, Cupertino, CA 95014 CA  
Residence  
Post Office Address

CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S) FORM A PART OF  
THIS DECLARATION

- Signature for third and subsequent joint inventors. Number of pages added \_\_\_\_\_
- Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_
- Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_

\* \* \*

- Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.

Total pages added to this Declaration

1

\* \* \*

If no further pages form a part of this Declaration check the following item

This declaration ends with this page

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION

*(complete this part only if this is a divisional, continuation or CIP application)*

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:				
U.S. APPLICATIONS			Status (Check one )	
U.S. APPLICATIONS 08/322,069	U.S. FILING DATE 10/12/94		Patented	Pending <input checked="" type="checkbox"/> X Abandoned
1. _____				
2. _____				
3. _____				
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLI- CATION NO.	PCT FILING DATE	U.S. SERIAL NOS. ASSIGNED (if any)		
4. _____				
5. _____				
6. _____				

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION**

*(complete this part only if this is a divisional, continuation or CIP application)*

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

<b>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:</b>				
<b>U.S. APPLICATIONS</b>			<b>Status (Check one )</b>	
<b>U.S. APPLICATIONS</b>	<b>U.S. FILING DATE</b>		<b>Patented</b>	<b>Pending</b>
08/322,069	10/12/94		<input type="checkbox"/>	<input checked="" type="checkbox"/>
1. _____				
2. _____				
3. _____				
<b>PCT APPLICATIONS DESIGNATING THE U.S.</b>				
<b>PCT APPLI- CATION NO.</b>	<b>PCT FILING DATE</b>	<b>U.S. SERIAL NOS. ASSIGNED (if any)</b>		
4. _____				
5. _____				
6. _____				

(Added Page to Combined Declaration and Power of Attorney for Divisional Continuation or CIP Application [1-2.1]—page 1 of 2)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

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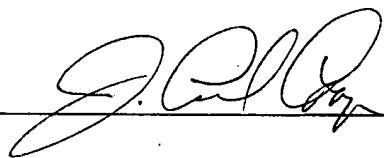
NAME OF PERSON SIGNING J. Carl Cooper

TITLE OF PERSON OTHER THAN OWNER Chief Financial Officer

ADDRESS OF PERSON SIGNING 15288 Via Pinto

Monte Sereno, CA 95030

SIGNATURE



June 8, 1995

Date

PATENT

Attorney's Docket No. G:/7434CIP

**COMBINED DECLARATION AND POWER OF ATTORNEY**

*(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION OR CIP APPLICATION)*

As a below named inventor, I hereby declare that:

**TYPE OF APPLICATION**

This declaration is for the following type application:

*(check one applicable item below)*

original

design

*NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item and check appropriate one of last three items.*

national stage of PCT

supplemental

*NOTE: If one of the following 3 items apply then complete and attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.*

divisional

continuation

continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

*WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.*

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IMPROVED PROGRAM VIEWING APPARATUS AND METHOD

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the specification of which: (*complete (a), (b) or (c)*)

(a)  is attached hereto.

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(c)  was described and claimed in PTC International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

#### ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

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In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

#### PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d)  no such applications have been filed.

(e)  such applications have been filed as follows

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
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COUNTRY	APPLICATION NUMBER	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

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William S. Lightbody (Reg #29,557)

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William S. Lightbody (29,557)  
LIGHTBODY LAW OFFICE  
1717 East Ninth Street  
2121 East Ohio Building  
Cleveland, OH 44114

### DIRECT TELEPHONE CALLS TO: (Name and telephone number)

William S. Lightbody  
(216) 621-7337 Phone  
(216) 621-7393 FAX

## DECLARATION

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### SIGNATURES

Full name of sole or first inventor J. Carl Cooper  
Inventor's signature J. Carl Cooper  
Date Jun 8, 1995 Country of Citizenship U.S.A.  
15288 Via Pinto, Monte Sereno, CA 95030  
Residence \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Full name of second joint Inventor, if any Steve Anderson  
Inventor's signature Steve Anderson  
Date JUNE 8, 1995 Country of Citizenship U.S.A.  
Residence 21886 Hyannis Port Drive, Cupertino, CA 95014  
Post Office Address \_\_\_\_\_

CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S) FORM A PART OF  
THIS DECLARATION

Signature for third and subsequent joint inventors. Number of pages added \_\_\_\_\_

Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_

Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_

\*\*\*

Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.

Total pages added to this Declaration  
1

If no further pages form a part of this Declaration check the following item

This declaration ends with this page